



Book	Policy Manual
Section	Section 000 - Board Procedures
Title	Authority and Powers
Code	002
Status	Active
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## **002 - AUTHORITY AND POWERS**

### **I. Authority**

A public school district is a constitutional agency of legislature in the Commonwealth of Pennsylvania and retains powers that are granted by statute and the School Laws of Pennsylvania. The powers and mandatory duties of the School Board are also defined in the School Laws of Pennsylvania, 1949 as amended.

*PA Const., Art. III, Sec. 14  
SC 211, 301, 501, 502, 503, 507, 510*

### **II. Powers**

A. The School Board shall be vested with the necessary authority and power to annually levy and collect necessary taxes, in addition to the annual State appropriation, to establish and maintain a system of free public schools for all children of age residing in the school district.

*SC 201, 407, 501, 502, 503, 507, 510, 511, 801, 803, 1301, 1302, 1411*

B. The powers of the Board shall be as conferred and prescribed by law. Complete and final control as to all matters pertaining to the educational system shall be vested in the Board.

C. In the interpretation of the powers and duties of the Board, it is understood that the Board shall determine the general policies for the control, operation, maintenance, and expansion of the public school, execution of which shall be the responsibility of the administrative staff.

D. The Board considers that its most important functions fall into the following categories:

#### **i. Legislative or Policy Making**

The Board is responsible for the development of policy and for the employment of a Superintendent who will carry out its policy through the development and implementation of regulations. Board procedures and policies shall be consistent of law, have a rationale and substantial relationship to a legitimate purpose of the Board, and be directed toward the maintenance and support of a thorough and efficient system of public education in this District.

*SC 407*

#### **ii. Educational Planning and Appraisal**

The Board is responsible for acquiring reliable information from responsible sources which will enable it to make the best possible decisions about the scope and nature of the educational program. The

Board is responsible for requiring appraisal of the results of the educational program. The Board shall be responsible for enforcing mandatory laws and regulations.

iii. Staffing and Appraisal

The Board is responsible for employing the staff necessary for carrying out the instructional program and establishing negotiated salaries and salary schedules, and other terms and conditions of employment, as well as for personnel policies District-wide in application.

iv. Financial Resources

The Board is responsible for adopting a budget that will provide the financial basis for staff, buildings, materials, and equipment which will enable the District to carry out the educational program. The Board is responsible for exercising control over the finances of the District to ensure proper use of, and accounting for, all District funds.

v. School Facilities

The Board is responsible for determining school-housing needs, for communicating these needs to the community, for purchasing sites, and approving plans that will support and enhance the educational program.

vi. Communication with the Public

The Board is responsible for providing adequate and direct means for keeping local citizenry informed about the wishes of the public.

vii. Judicial

The Board is responsible for acting as a court of appeal for staff members, students, and the public when issues involve Board Policy and its fair implementation.

*SC 301*

E. The Board may exercise the before-mentioned powers and duties only when convened in a legally constituted meeting.

F. The powers of the Board are not vested in the individual Board member. No such individual is authorized to act on behalf of the Board to carry out any of the Board's authorized powers, except for those acts stated in law.

G. Board members participation in meetings is the basic manner in which they fulfill high office, except as otherwise authorized by the Board. The method of participation is discussion, deliberation, debate, and voting. Administrative action to accommodate individual Board members is not appropriate.

H. All members, including the President, shall participate fully in deliberation and voting.

*References:*

*Pennsylvania Constitution, Art. III, Sec. 14*

*School Code 24 P.S., Sec. 211, 301, 407, 501, 502, 503, 507, 510, 511, 801, 803, 1301, 1302, 1411*

*State Board of Education Regulations, 22 PA Code, Sec. 17.1 et seq.*

**Replaces Policies:**

1100.1

1100.3

1112.1

1112.2



